

Remarks/Arguments:

In the Amendment dated March 23, 2004, which has now been entered in this application but was refused entry in the Advisory Action dated April 14, 2004, frequent references were made to the treatment or relief of "acute pain". And in the Advisory Action, the examiner indicated that the use of this terminology may not be fully supported by the specification and therefore may raise an issue of new matter. Accordingly applicant has removed from the claims each and every reference to "acute" pain.

In order to avoid any implication that new matter has been presented, and for a better understanding of the invention, further explanation is required. Stedman's Medical Dictionary defines "acute" as "of short and sharp course, not chronic; said of a disease." Under that definition, pain resulting from hitting one's finger with a hammer, or from stubbing one's toe, or from a broken tooth would be considered acute pain, whereas longer term pain which results from and is secondary to a chronic condition would not be considered chronic pain. For example, the osteoarthritic condition of the woman treated with Nalfon® and glucosamine in the Meisner '453 Patent, would clearly be viewed as a chronic condition and the pain associated therewith as 'chronic' pain. Yet it is clear that the glucosamine treated the chronic condition while the Nalfon controlled the symptoms of that condition, namely the symptoms, but not the cause, of the pain.

Thus, the present invention addresses the treatment or alleviation of pain or the symptoms of pain, but not necessarily treatment of the underlying condition which is the cause of the pain. The presence of glucosamine compound and analgesic compound in the claimed ratio provides synergistic analgesia promptly after administration, without regard to a longer term healing effect that may occur (if any) due to the presence of glucosamine in the mixture. We respectfully submit that this synergistic effect in treatment or alleviation of the symptoms of pain is adequately disclosed in the specification and examples and is patentably distinct from the present references or any combination of them.

The claims of this application are now believed to be in condition for allowance. An early Notice of Allowance is respectfully requested. The undersigned would welcome a telephone call from examiner if she has any further questions or would find it helpful to discuss in person any aspect of this invention.

Respectfully submitted,



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RL/pb

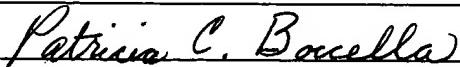
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